

OHIO STATE



LAW RECORD

VOLUME 1, No. 1

AUTUMN, 1958

From the President . . .

It is the high hope of the sponsors of this first issue of the Law Record that it will be the forerunner of a permanent medium through which the College of Law and its Alumni Association will keep in closer touch with all of the graduates of the College. Although *ipso facto* he is a member of the Alumni Association upon his graduation, the alumnus has few contacts with his college or the Alumni Association. Infrequently, he hears or reads about the activities and achievements of the College of Law and the problems confronting it. Rarely is the alumnus asked to do anything, or afforded an opportunity in an organized way to perform any service, for the Alumni Association or the College. There is strong and pressing need for greater rapport between the alumnus and the College. The Law Record can be of immeasurable assistance in this respect.

The program of the Alumni Association for the immediate future is a modest one; nevertheless, there is a very real job to be done. Presently, the Association is engaged in a financial drive, a project of the O.S.U. Development Fund, to raise a sum sufficient to provide from \$25,000 to \$30,000 annually to be used for student loans, grants-in-aid and to bring lecturers of great stature to the College. A Financial Aid Policy Committee of the Association will assist the faculty in determining policies governing the disbursements of such funds.

In April, 1960, the New Law Building will be dedicated. Invitations will go to the leaders of the Bench, Bar, Government and the Law Schools to attend the many events planned for the dedication. The College will be in no position to defray the expenses of properly entertaining its guests. Assistance of alumni will be needed to secure these funds and to act as hosts for the various affairs. A Dedication Committee will meet this Fall to ascertain ways and means to cope with these matters.

Portraits, pictures, legal documents of historical interest and other legal materials, especially pertaining to the Northwest Territory and Ohio, are needed for the New Law Building. A Committee on Legal

Ohioana has been appointed to help secure such material for display.

It is the hope of the officers of the Association that this modest program will become broader in scope and that, in time, the Association will acquire a relationship with the College which is to bring the College closer to its alumni and the alumni closer to the College.

Isadore Topper, '28

From the College . . .

The College warmly welcomes the appearance of the Ohio State Law Record. Alumni will recall the occasional receipt of Dean's letters - letters designed to acquaint them with news of the College and its operations. The Law Record, prepared under the direction of a committee of alumni, will fulfill this function in a more regularized and comprehensive manner. The importance of a written medium of contact between the law school and its alumni cannot easily be overemphasized. The Law Record, by bringing the College closer to its alumni, will most assuredly stimulate wider participation and greater interest in the objectives and activities of the Law Alumni Association. Recent years have amply demonstrated that an active and vigorous alumni association can mean much to the College. It is for this reason that we of the College welcome the appearance of the Ohio State Law Record.

Major credit for the launching of the new publication goes to President Topper of Columbus and President-Elect William A. Dougherty of New York City. Also assisting have been several past presidents of the College of Law Alumni Association. We greatly appreciate this, another fine expression of loyalty and interest. Members of the Alumni Committee on Law Record are listed on page 6. Chairman Shibley contributed significantly to decisions on the format and content of this first issue. The assistance of his full Committee will be invaluable in developing the Law Record into an effective medium for bringing the College to its scattered alumni.

Frank R. Strong, Dean

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The New Law Building . . .

Early next year, the complete new physical plant of the College of Law will be ready for occupancy. Constructed in two stages, the classroom unit of the building has been finished and occupied since September, 1956. The library-office and auditorium units are well on toward completion now and should be ready for the move by next summer. The exact time of moving will be determined by the rapidity with which certain equipment can be installed and our library moved. Moving the library will be a task of no mean proportions since at that time it will number some 150,000 volumes.

The classroom unit contains seven classrooms, four with 75 seat capacity and three with 150 seat capacity. There are, in addition, four seminar rooms. These classrooms are accoustically perfect and are very conducive to hard work and study. Two discussion areas on the first floor afford students a place to relax and "talk the law" between classes. Most appealing, perhaps, is the walnut panelled, beautifully-appointed court room for Trial Practice and Moot Court sessions.

The library-office unit, largest of the three, contains the library stack area and reading rooms, and offices for faculty, student activities and administration. The auditorium unit, located west of and joined to the classroom unit, is designed for an auditorium seating 354, with equipment for motion pictures, tape recording, and origination and receipt of television programs.

Details on various other features of these units will appear in later issues of the Law Record. Suffice it at this time to observe that every effort has been

made to plan a highly functional, yet attractive building which will easily rank with the finest law school facilities anywhere.

Dedication . . .

Law alumni have long dreamed of an adequate building for the College of Law. Page Hall, constructed in 1902, although hallowed in memory, has long been inadequate as a physical plant. At long last, the dream is nearing reality. Dedication of our great new facilities has been set for the week of April 18, 1960.

A full schedule of appropriate events is being planned by the College in conjunction with an Alumni Association Committee on Dedication. The culminating event will be the Dedication Ceremonies on Saturday, April 23rd, at which the principal address will be by the Chief Justice of the United States. Mr. Justice Burton, Circuit Justice for our Sixth Circuit, as well as the federal judges of the Sixth Circuit, will be in attendance here at their annual judicial conference during the week of celebration.

All alumni are sincerely invited and urged to be present and take part in the memorable event of formal dedication. It is not often that a school has the opportunity to realize such a goal in buildings and equipment as we have at Ohio State. To us, it marks another great step toward the building of one of the nation's great law schools. The Alumni have meant much to its fruition; the Dedication of the New Law Building can mean much to the alumni. It is hoped many alumni will attend.



Classroom work is the heart of a legal education. This is a view of one of the first floor classrooms with a class in Conflict of Laws in session. Note the lack of distracting windows.

A view of the court room taken just prior to the opening of a session of Ohio's Tenth District Court of Appeals. Fine cooperation of the local bar and the Courts allows the students to observe actual court sessions.



Spacious discussion areas provide the atmosphere for law students to "live the law". Many times classroom discussions running over the hour continue unabated in these comfortable surroundings.

The Law Student Financial Aid Fund— A Message to Law College Alumni . . .

Recently, I heard the president of a large corporation say that soon after he assumed his job as chief executive, he realized his most important function was to train his successor. Society has a right to expect the recognition of this same responsibility by lawyers. It is not enough that we improve our skills conducting symposia and attending practising law institutes. We must devote our time and our money to the training of future lawyers who will have technical skills as well as basic concepts of legal principles. This must be done if our profession is to serve our clients well in the constantly increasing complicated relationships of private and public life.

Our College of Law has recognized this concept of service and has upgraded the curriculum to include more than just a knowledge of subject matter. No longer does the student have twelve to fifteen class hours a week, with the assignment being "The next four cases, gentlemen", as was true in my day. The student must develop some of the competencies of the practical lawyer. Now he is taught to analyze facts and issues and to develop ability in investigation, interviews, research, counselling and draftsmanship.

All of this adds up to a full time job. Financial necessity requires half of our students to work twenty or more hours a week in outside employment. If this continues, the quality of the graduates of our College of Law will not be what is needed or what we alumni should countenance.

The State of Ohio is spending approximately \$2,500 per year in capital and operating costs to educate each future lawyer. Tuition now is \$300 per year. The minimum amount a student needs for a year is \$1,200. Many families can provide only a portion of this, so that financial aid is a necessity if we want graduates of our College of Law to be fully trained lawyers. Loans payable over a period of years after graduation will be basic in this program, but grants-in-aid based on need must supplement loans.

Service in the armed forces now postpones professional training by two years. Marriage is no longer delayed until financial resources are available. There are many alumni who feel that the need for help arises from the fact of marriage and family obligations and they are unsympathetic. Let's face it! Circumstances are not the same as they were in the past. And, there are many unmarried law students who need financial help.

There are also alumni who urge that all financial aid should be in the form of loans as opposed to grants-in-aid for the reason that they believe any student should be willing to assume a loan obligation repayable over a period of years at a low interest

rate. We agree, and have as a part of our plans the creation of a revolving fund to give loans to many students.

To obtain the funds required, the College of Law Alumni Association has created the "College of Law Student Financial Aids Fund". Solicitation will be for funds for use for both purposes - loans and grants-in-aid. Alumni will be solicited by committees of local alumni in each geographical area and by mail.

There are two ways in which you can make your contribution. You may wish to make a capital contribution, payable in one or two installments, which will be segregated and kept available for loans or, at your direction, invested with the income used for grants-in-aid.

Probably more of you will want to make annual gifts, just as you do to your local charitable activities. While annual contributions can be made a part of the capital fund, we believe that a far better result can be accomplished if annual gifts are unrestricted, permitting the Dean of the Law College to determine the use of the gift.

We started our campaign in Columbus late in 1957. Solicitations have been underway in Cleveland and Steubenville. Early this fall, we will be starting in a number of other Ohio areas. The message was carried to California Alumni during the American Bar Meeting in August in Los Angeles. Other out-of-state alumni will be seen toward the end of the year.

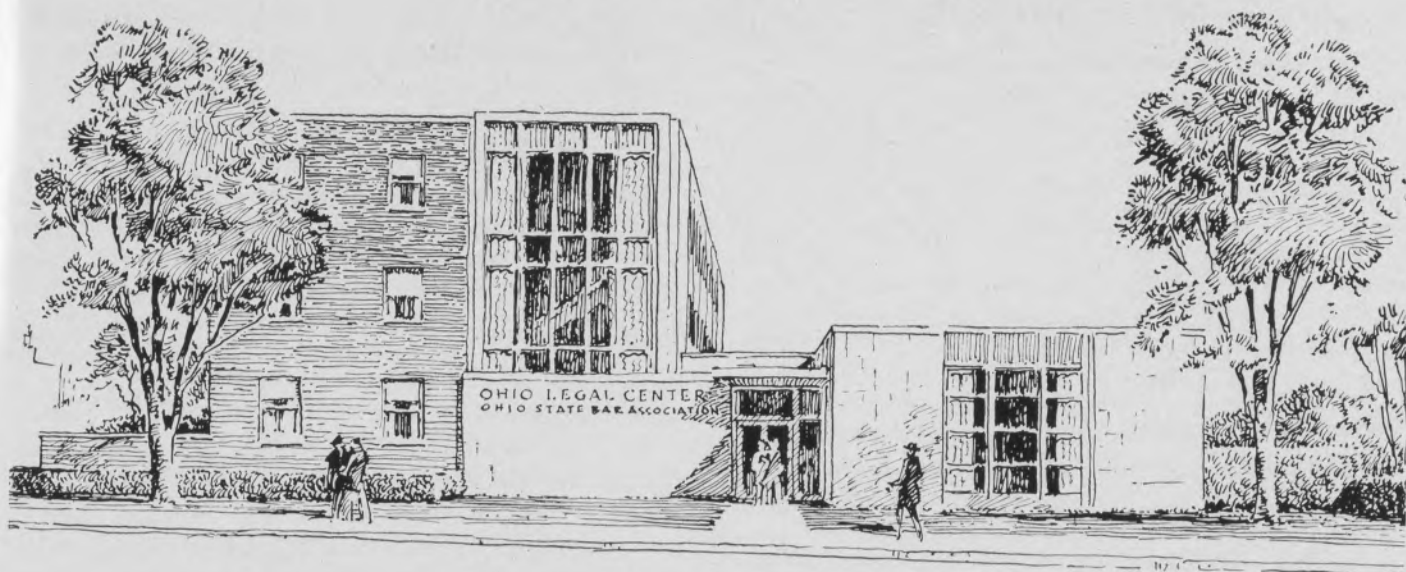
Let's all be dollar a year men! Give one dollar for year out of law school as an annual gift. If you have made it fifty years, you ought to be glad you are here to read this! Don't wait to be asked, write your check to the O.S.U. Development Fund now.

To date we have available about \$10,000 each year, divided between annual and capital gifts. Here is the record of a few other law schools as to amounts available annually for financial aid:

Michigan	\$ 117,000
Chicago	100,000
Yale	41,000
Ohio State	10,000

If we can't beat Michigan this year, let's at least tie Yale!

William A. Dougherty '20



The Ohio Legal Center . . .

Ohio alumni have received from the Ohio State Bar Association's executive office an attractive brochure describing this cooperative project between Ohio's state law school and the organized bar of Ohio. The legal and policy issues involved in this joint venture have now been resolved, and architectural renderings of the proposed building prepared. The above cut is taken from the architect's conception of the building as viewed from the north. The question which remains is that of whether Ohio's lawyers and law-related groups believe that the potentialities of the Ohio Legal Center as envisaged justify the financial contributions needed to make this building a reality.

The late Chief Justice Vanderbilt stated the case for law centers in the following compelling paragraph taken from his "The Challenge to Law Reform":

"The operation of a law center will inevitably impose substantial burdens, but it is difficult to see in what other way we can hope to adapt the law to the needs of our changing civilization. I believe that the only way to bring together and harmonize the discordant elements in the law is the same method of patient study followed by courageous action that has been effective in the earlier periods of legal history, and that the best place to do this is in the proposed law centers. Never has the profession in this country been as well organized as it is today. Never have the rewards of courage and farsightedness promised to be so great. At every point of the law, there must be a calm review to achieve the greatest possible individual freedom consistent with the requirements of society as a whole, and a painstaking reform of the law to eliminate outmoded technicalities and to assure the orderly preservation of human

rights. Our forefathers solved similar problems, albeit on a lesser scale, but with smaller resources by far than ours. May we have the strength and courage and wisdom to meet the problems of the law in our day with equal courage and zeal."

The Ohio Bar Center has been designed to meet the challenge of Chief Justice Vanderbilt's words. Bringing the headquarters of the organized bar of Ohio onto the campus will provide opportunities for research and continuing legal education never before available to the profession in Ohio. Tasks of revision and policy study before impossible can now be undertaken with practical possibilities of success and service. Many benefits to law students can be gained from close contacts with the leaders of the Bar.

The first two floors of the building have been designed for headquarters and meeting facilities for the Ohio State Bar Association. Here the work of the Association, including the publication of the Ohio Bar, will be carried on in an efficient manner now impossible due to lack of space and facilities. This is surely a great benefit to the profession and the public.

Provision will also be made on these floors for headquarters offices for other legal organizations of Ohio which are concerned with improvement in the formulation and administration of law.

However, for the College of Law, in a selfish way, the most important function of the Bar Center is planned for the third floor research facility. It is here that the great challenge of Chief Justice Vanderbilt can be met in a very real way. Combining the need arising from an active and vigorous committee system of the Bar Association with one of the finest library research facilities in the nation, the Ohio Legal Center can make a real contribution to the development of the law and the fulfillment of a cherished goal of the school.

Alumni Notes . . .

The College of Law Alumni Association has embarked upon a program of activity designed to help the College of Law in areas where the State of Ohio or other agencies cannot. President Isadore Topper has outlined some of the details of this program in his introduction to the Law Record. A great part of this program and the work required to make it a success must be carried on by committees. To this end, the following officers and committees will serve the Association for the year 1958-59:

President: Isadore Topper, Columbus

President-Elect: William A. Dougherty, New York

Secretary-Treasurer: John McMahon, Columbus

Advisory Committee:

J. Paul McNamara, Columbus, Chairman
Harry B. Reese, Wellston
Randall Fullmer, Cleveland
Rice Hershey, Akron
Roger H. Smith, Toledo
Robert W. Minor, Washington, D.C.

Committee on Dedication:

Isadore Topper, Columbus
William A. Dougherty, New York City
John McMahon, Columbus
J. Paul McNamara, Columbus
Randall Fullmer, Cleveland
Rice Hershey, Akron
Robert W. Minor, Washington, D.C.
Harry B. Reese, Wellston
Roger H. Smith, Toledo

Committee on Financial Aid Policy:

Honorable James Bell, Columbus, Chairman
H. W. Baggott, Dayton
Kenyon S. Campbell, Columbus
C. David Cox, Jr., Toledo
R. G. Jeter, Akron
Stanley Schwartz, Jr., Columbus
John M. Vorys, Columbus
Don W. Wiper, Cleveland

Committee on Law Record

Norman Shibley, Cleveland, Chairman
Aaron B. Cohn, Toledo
William Van Dervoort, Columbus
James N. Ebright, Akron
John O. Harper, Springfield
Walter F. Heer, Jr., Columbus
John Ketterer, Canton

Committee on Legal Ohioana:

Carter Kissell, Cleveland, Chairman
George C. McConnaughey, Jr., Columbus, Sec'y.
Carleton S. Dargusch, Jr., Columbus
John H. Eagleson, Columbus
J. Weller Igo, Columbus

Kenneth B. Johnston, Columbus
Clarence D. Laylin, Columbus
Henry L. Phillips, New York City
Edgar Weinland, Columbus
C. M. Woodside, Youngstown

Alumni Meetings . . .

During this past summer, Dean Strong and President Topper and other members of the faculty met with a number of groups of alumni. At these meetings, the story of the need for the Law Student Financial Aid Fund was received with consideration and interest, and the pleasures of regaining contact with old friends were enjoyed.

In July, President Topper and Dean Strong attended law alumni meetings in Elyria and Sandusky. In early August, the Akron and Summit County alumni met for lunch at the Mayflower Hotel. President Topper, Ass't. Dean Selby and Dean Strong were present. In late August, at the American Bar Meeting in Los Angeles, 42 alumni attended the Ohio State luncheon at the Biltmore Hotel. President-Elect Dougherty presided informally; Dean Strong, Prof. Fulda and Ass't. Dean Selby attended from the College.

It is the practice of faculty members to call upon undergraduate colleges during the school year to talk with students who are thinking of going to law school. It is hoped that alumni meetings can be arranged in other parts of the state, with the trips to undergraduate colleges timed to coincide with these meetings. It is of great benefit to those at the school to have this personal contact with alumni and these meetings are also of benefit to the alumni by bringing to them some first-hand accounts of what is going on at the school.

Fifth Annual Fall Reunion . . .

Friday, the 7th of November, 1958, is more properly known as **DIES LEGITIMUS** among College of Law Alumni. For those of you who have lost your Latin dictionary, the Cyclopedic Law Dictionary defines these words as: "A law day; a day of appearance."

That "day of appearance", November 7, 1958, is the Fifth Annual Fall Reunion at Ilonka's, 4040 East Broad Street, Columbus at 6:00 to ??? P.M. For those who have attended in the past, enough has been said. However, the program is:

1. No speeches; no speeches; no speeches.
2. Cocktails at 6:00 P.M.
3. Buffet dinner at 7:00 P.M.
4. Reunioning until ??? P.M.

Letters of announcement have been sent to all (we hope) alumni. This is another invitation, to you and your wife (or husband) in case you misplaced the letter. Reservations are limited to 325 and well over 100 have already been received.

Tickets are \$6.50 each. Reservation letters and questions should be directed to Robert J. Nordstrom, at the College of Law. Send your order now.

Faculty Notes . . .

Alumni will be happy to learn that Professor Emeritus Harry W. Vanneman continues to enjoy good health and that he and Mrs. Vanneman remain active in the Columbus community. Currently, Mr. Vanneman is foreman of the Franklin County Grand Jury, thus adding one more star to an already studded crown of valued participation in community affairs. After his retirement from the Ohio State law faculty in 1952, Professor Vanneman taught his favorite subjects at the University of Cincinnati College of Law for a total of three semesters. There, as at Ohio State, he won the respect and affection of both students and colleagues. In the past few years Mr. and Mrs. Vanneman have divided their time between occasional trips away from Columbus and continued enjoyment of their delightful Beechwold home.

Older alumni, who remember Professor Lewis Simes, will be interested to know of his retirement from active teaching at the University of Michigan Law School after an outstanding career as a law teacher and writer. Although Michigan claimed him from Ohio State in the 1930's Professor Simes "belongs" to grateful alumni of both law schools.

Professor Vanneman's retirement and a series of tragic deaths of faculty men in the 1940's and early 1950's have greatly altered the composition of the Faculty. Fortunately, some stalwarts remain. Professor Robert E. Mathews continues his teaching in Agency-Partnership, Legal Profession, and Labor Law, and at the same time his many other professional interests. Among the latter should be mentioned his election a year ago to a second term on the Council of the Section of Legal Education of the American Bar Association. Professor Norman Lattin, who now teaches the late Professor John Hallen's old favorite, Torts, while continuing with his own old favorite of Sales, shows no abatement whatsoever in his active program of writing in the field of Corporations. Only recently he delivered to the publisher completed manuscript for a text in corporation law; he is now busy with a revision of the widely adopted casebook in corporation law edited by him and Professor Richard Jennings of the University of California at Berkeley.

Younger in point of service, yet stalwarts with nearly 20 years of teaching apiece, are Professors Charles C. Callahan and Roland J. Stanger. The Dean, who joined the Faculty in 1937, is now third in rank in years of service as he enters his third decade on the Ohio State Law Faculty. All other present members of the Faculty have come since the end of World War II.

The most recent faculty member is Kenneth L. Karst, who officially joins the Ohio State Faculty October 1 of this year as Assistant Professor of Law. Mr. Karst took his undergraduate work at UCLA and his law work at Harvard. At Harvard he was a mem-

ber and officer of the Harvard Law Review. After earning his law degree, our newest addition to the Faculty practiced two years with Latham & Watkins of Los Angeles, served for an equal period of time as legal officer in the Air Force, and spent one year as a Harvard Teaching Fellow. He comes to Ohio State from this latest year at Harvard. Married, he is the father of three children.

An active faculty is a peripatetic faculty. Last year Professor Robert Lynn was at Yale Law School as Visiting Professor. Substituting for him was Professor Malcolm Talbott of Rutgers University School of Law, a native Ohioan. The year before, Professor Lattin spent one semester as Visiting Professor at UCLA. This coming academic year, Assistant Professor Richard Falk will study at Harvard Law School on a fellowship. He will concentrate on advanced work in his special areas of interest: Criminal Law and International Law. Also on leave will be Professor Stanger, who has been named for one year to the Chair of International Law at the Naval War College. The appointment is in recognition of Mr. Stanger's specialization in that aspect of International Law concerned with foreign economic and exchange controls. Teaching Contracts in place of Mr. Stanger will be Professor Odis K. Patton who has just retired from the College of Law at the State University of Iowa after thirty years of teaching of this subject with a vigor and color which has made him a legend at Iowa.

To engage in a bit of poetic license, those also serve who remain at home. Such service takes many forms—the writing of legal articles, monographs and texts; the preparation of more adequate teaching materials; service on committees of the local, State and American Bar Associations; membership on civic commissions concerned with legal and governmental matters; active participation in the professional organizations of the law schools. Space permits instancing at this time only Professor Ervin H. Pollack's presidency this year of the American Association of Law Libraries, Dean Strong's term as secretary-treasurer of the Association of American Law Schools, Associate Dean Robert Nordstrom's service as secretary-treasurer of the League of Ohio Law Schools, and Associate Professor John Duffey's membership on the Planning Commission of the City of Columbus.

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One of the major tasks of the faculty is the preparation of more adequate teaching materials. This is especially true as, working together, we develop new concepts of our philosophy of legal education. In later issues, further discussion of this will appear.

Curricular Notes . . .

The real task of the law school is to train good lawyers. To complete this task, constant attention must be given to the development of the philosophy and necessities of such education. As a result, the College of Law has assumed primary responsibility in three major areas. Expansion of traditional subject matter is necessary because of the very dynamic nature of the law itself. Secondly, ideas and concepts of the teaching of the skills and insights of the practicing lawyer have been added to an already crowded course of study. Finally, recognition of the added burdens brings recognition of the need for efficient study and teaching methods. Applying these three major concepts to the task of both undergraduate law training and continuing legal education, the College has developed a unique program. In this and the issues to follow, attempts to discuss various phases of the program will be made in the firm belief that alumni will find a great deal of pride in this work of the school.

The First Year Study Program . . .

On September 22, the beginning law students will assemble to commence Orientation Week. This week is a real opportunity to give first year law students a sort of "running start" in the study of law. It also marks the beginning of the first year study program administered by a faculty member for whom this is a sole responsibility.

During Orientation Week, students attend regular classes for a concentrated course in the basic functions and concepts of law and law practice, together with some development of various methods of study, teaching and examination. It is here that the students start their acquaintance with pleading, facts, decisions and opinions as the foundation upon which our legal knowledge is built. For many, it is the first time an instructor has conducted a class in a manner other than by lecture. For others, the law is perceived as a process of reasoning and prediction rather than a set of rules. And for some, it becomes apparent that the study of law is not that for which they bargained. Practice examinations and suggestions as to study methods are also discussed. Of particular interest is the study of the development of a law case from the day of the accident, through the preparation of pleadings and for trial, through the trial and appellate procedure to the Supreme Court of the United States. This concentration on what lies behind the trial and process of appeal is done at this time because it is felt that students are better prepared for law study when they have some understanding of what it is that the lawyer must do and what the tools of his trade are.

After Orientation Week, the students have regular laboratory sessions in small groups under the direc-

tion of Mrs. Joan Krauskopf, the present instructor, where emphasis is placed on proper study and review. Persons having particular difficulties are counselled. Close watch is maintained to try to guide the student toward those things he should be getting from the classes. When examination time approaches, practice examinations are taken, graded and discussed.

As a result of this program, it has been found that students are far better prepared to go into their studies with confidence and an understanding of what they are about. Benefits to the student are obvious, but for the faculty and the school benefits may be even greater. Classes can proceed faster, academic standards can be built up to and maintained at a higher level, and the students' work is more efficient and of higher quality.

Continuing Legal Education: Damages— Personal Injury Cases . . .

On December 5 and 6, 1958, the College will sponsor a conference on the problems of proving damages in personal injury actions.

This problem has received little emphasis in the programs of continuing legal education across the country. Instead of emphasizing the medical-legal aspects of personal injury, this conference will be devoted to the legal and practical problems involved in the proof of damages. Such topics as proving the reasonable value of medical expenses, of pain and suffering and of the decrease in earning capacity will receive the close attention of the speakers.

"Speakers" is not quite the proper word because there will be a minimum of lecturing. The conference will center around the solving of a single personal injury damage case. The case will be extensive enough to involve several typical damage problems; it will be intensive enough to allow the concentrated study of practical solutions. The problem will be available to all those who attend and will be "solved" primarily through the use of actual **demonstrations** by experts as well as panel critique following these demonstrations.

Plan now to attend this conference. Detailed information will be supplied to every member of the Ohio State Bar Association and to those requesting it.

Education for Law-Connected Groups . . .

Just completed was the Fifth Annual Ohio State Arson School for arson investigators. Some 100 men from Ohio and neighboring states attended. The program for this school has been co-ordinated for the past two years by Assoc. Dean Nordstrom. Of interest to alumni is the note that William Lohr, '42, was again successful in the defense of the culprit turned up by the participants for the moot trial, the climax of the school.